

UNITED STATES DISTRICT COURT FOR PR 13 2018  
THE NORTHERN DISTRICT OF NEW YORK LAWRENCE BAERMAN, CLERK  
• 445 Broadway; Albany, NY 12207-2936 • ALBANY

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John Vidurek, Gerard Aprea, et al  
Plaintiffs

- Against -

Governor A. Cuomo, New York State Senate  
and New York State Assembly

Defendants

Jurisdiction: Court of Record, under  
the rules of Common Law<sup>1</sup>

Case NO: 1:18-cv-392

**ADDENDUM TO  
ACTION AT LAW<sup>2</sup>**

NEW YORK STATE      )  
                          ):SS.  
DUTCHESS COUNTY     )

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Add two (2) Affidavits attached and replace the WHEREFORE clause in the above Action at Law dated March 31<sup>st</sup> 2018 and file on April 2<sup>nd</sup> 2018 with the following WHEREFORE clause:

15 WHEREFORE, plaintiffs demand and prosecute for; Governor A. Cuomo, N.Y.S. Senate and N.Y.S. Assembly cease all unconstitutional actions and stop blindly approving BAR legislation into laws that are repugnant to the Constitution. All legislation is to state clearly by what authority they act upon.

20 Plaintiffs demand and prosecute for; all legislative infringements upon the second Amendment null and void in the United States including and not limited to Safe Act,

<sup>1</sup> "A Court of Record is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial." Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

<sup>2</sup> AT LAW: [Bouvier's] This phrase is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity.

N.Y.S. Code §265.20, §265.01, §700.00, §400.00, §265.00, §265.02, §265.35, §35.20, §265.10, §2230 and the court is to direct all County Sheriffs to protect the People, from state and federal law enforcement agents who are to cease and desist all abuse against the plaintiffs and the People of New York for the exercising of our unalienable “right to keep and bear Arms”, protected by the 2<sup>nd</sup> Amendment.

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Plaintiffs demand and prosecute defendants for \$50,000 (*collectively*), in lawful face value money such as Morgan Silver Dollars, for damages such as psychological stress and fear of violence upon our person and for placing our families in jeopardy of harm and even death. And for violating our unalienable right to keep and bear arms.

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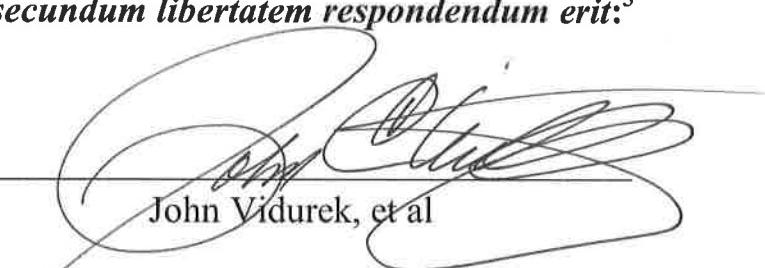
US Constitution Article I Section 10. “*No state shall ... make anything but gold and silver coin a tender in payment of debts;*”

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Plaintiffs with this action will file for an injunction against the state concerning the reporting of our firearms to the state police. If the judiciary fails to do their sworn duties to uphold the law and protect the People, plaintiffs sue defendants for an additional \$1,000 per day from the refusal date for injunction to the day of judgment for each of the defendants; [e.g. 100 days x \$1000 = \$100,000 each plaintiff].

*Quotiens dubia interpretatio libertatis est, secundum libertatem respondendum erit:*<sup>3</sup>

SEAL



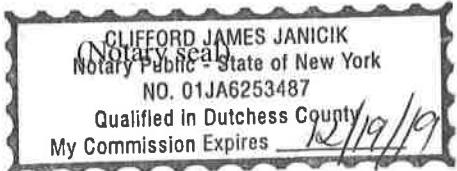
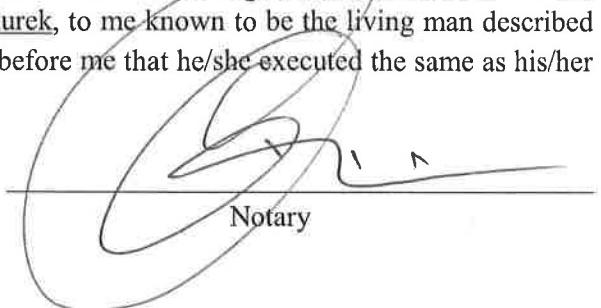
John Vidurek, et al

NOTARY

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In New York State, Dutchess County, on the 6<sup>th</sup> day of April 2018 before me, John Vidurek, the undersigned Notary Public, personally appeared John Vidurek, to me known to be the living man described herein, who executed the forgoing instrument, and has sworn before me that he/she executed the same as his/her free-will act and deed.

Notary

<sup>3</sup> Whenever there is a doubt between liberty and slavery, the decision must be in favor of liberty. Dig. 50, 17, 20.

## AFFIDAVIT

NEW YORK STATE )  
Suffolk COUNTY ) : SS

I, Senny Nunez, Affiant, being of lawful age, qualified and competent to testify to and having first-hand knowledge of the following facts do hereby swear that the following facts are true, correct and not misleading:

The Second Amendment guarantees a fundamental right that belongs to me as one of the People of New York. The Constitution does not create a right it secures our God Given Right to defend our-selves and our families.

New York Governor Andrew M. Cuomo and all New York State Assemblyman and Senators through intimidation and threat of violence have made it clear that if I am not obedient to their will they will take my arms using arms by force under color of law thereby placing extreme psychological stress and fear of violence upon my person and place my family in jeopardy of harm and even death.

New York Governor Andrew M. Cuomo and all New York State Assemblyman and Senators are in violation of the following:

New York Governor Andrew M. Cuomo and all New York State Assemblyman and Senators have conspired to infringe upon and violate my unalienable right to defend in violation of 18, USC 241; CONSPIRACY AGAINST RIGHTS by conspiring to oppress, threaten, and intimidate me and my family by infringing upon my free exercise and enjoyment of my unalienable right secured by the 2<sup>ND</sup> Amendment.

New York Governor Andrew M. Cuomo and all New York State Assemblyman and Senators have conspired to infringe upon and violate me and my family's unalienable right to defend in violation of 18 U.S. Code § 242 by depriving my unalienable right to defend under the color of law.

New York Governor Andrew M. Cuomo and all New York State Assemblyman and Senators have conspired to infringe upon and violate me and my family's unalienable right to defend in violation of 42 USC 1983; CIVIL ACTION FOR DEPRIVATION OF RIGHTS by acting under color of statute to deprive my unalienable right to defend secured by the 2<sup>ND</sup> Amendment.

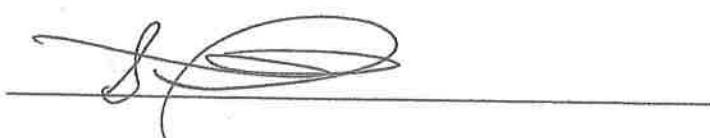
New York Governor Andrew M. Cuomo and all New York State Assemblyman and Senators have conspired to infringe upon and violate me and my family's unalienable right to defend in violation of 42 USC 1985(3); CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS: depriving me the equal protection of the laws and by acting under color of statute to deprive my unalienable right to defend secured by the 2<sup>ND</sup> Amendment.

New York Governor Andrew M. Cuomo and all New York State Assemblyman and Senators have conspired to infringe upon and violate me and my family's unalienable right to defend in violation of 42 USC §1986 for neglecting to protect my unalienable right to defend secured by the 2<sup>ND</sup> Amendment.

New York Governor Andrew M. Cuomo and all New York State Assemblyman and Senators have conspired to infringe upon and violate me and my family's unalienable right to defend in violation of 18 USC § 2384 by way of a seditious conspiracy by levying war against the People by forcing their authority under color of law by force to seize my arms with arms by force if I do not submit.

New York Governor Andrew M. Cuomo and all New York State Assemblyman and Senators have conspired to infringe upon and violate me and my family's unalienable right to defend in violation of 18 USC § 2382 - Misprision of treason. New York Governor Andrew M. Cuomo and all New York State Assemblyman and Senators owe allegiance to the People and thereby had a duty to protect.

Wherefore I sue for protection of rights and monetary damages in the amount \$50,000



**NOTARY**

New York State, Suffolk County on this 30<sup>th</sup> day of March 2018; before me Inocencia J. Quezada, the subscriber, personally appeared Jenny Nunez to me known to be the living (wo)man describe in and who executed the forgoing instrument and sworn before me that he executed the same as his free will act and deed.

  
Notary

(Notary Seal)

My commission expires: 5/31/2019

INOCENCIA J. QUEZADA  
Notary Public State of New York  
No. 01QU6163849  
Qualified In Suffolk County  
Commission Expires 04/30/2019

05/31/2019  
05/31/2019

## AFFIDAVIT

NEW YORK STATE )  
Suffolk COUNTY ) : SS

I Jose Ferreira Cruz, Affiant, being of lawful age, qualified and competent to testify to and having first-hand knowledge of the following facts do hereby swear that the following facts are true, correct and not misleading:

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Jose Ferreria Cruz  
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Inocencia J. Quezada  
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Notary

(Notary Seal)

My commission expires: 5/31/2019

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05/31/2019  
\_\_\_\_\_  
I. J. Q.